

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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ELIXAVIER PACHECO,

Petitioner,

ORDER

v.

STATE OF WISCONSIN,

Case No. 15-cv-178-jdp

Respondent.

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Petitioner Elixavier Pacheco, seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner requested leave to proceed without prepayment of the filing fee (dkt. #2), but did not submit a certified copy of his inmate trust fund account statement for the six-month period immediately preceding the filing of the habeas corpus petition.

The federal *in forma pauperis* statute does not permit a court to waive a prisoner's entire obligation to pay filing fees, but it does allow a qualifying individual to proceed without prepaying some or all of the filing fee. To determine whether petitioner qualifies as indigent, any motion for leave to proceed without prepayment of the filing fee must include a certified copy of an inmate trust fund account statement (or institutional equivalent) for the six-month period beginning approximately September 13, 2014 through the date of the petition, March 13, 2015.

If petitioner does not submit a certified copy of his inmate trust fund account statement for the six-month period immediately preceding the filing of the habeas corpus petition before April 20, 2015, I will assume that petitioner wishes to withdraw this action voluntarily and will dismiss the petition without further notice.

ORDER

IT IS ORDERED that:

1. No later than April 20, 2015, petitioner Elixavier Pacheco, shall submit a certified copy of his inmate trust fund account statement for the six-month period from the date of the habeas petition (March 13, 2015 through at least September 13, 2014).
2. If petitioner fails to comply as directed or show cause for failure to do so, this case will be dismissed without further notice.

Entered this 26th day of March, 2015.

BY THE COURT:

/s/

PETER OPPENEER  
Magistrate Judge